

**ZB# 04-50**

**Roger Smith**

**53-3-1**

ZBA #04-50 ROGER SMITH (AREA)  
17 SHAW RD. (53-3-1)

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

*Approved August 9, 2004*

Roger Smith 774 - 0673



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695**

## **OFFICE OF THE ZONING BOARD OF APPEALS**

October 26, 2004

Roger Smith  
P.O. Box 123  
Rock Tavern, NY 12575

**SUBJECT: REQUEST FOR VARIANCE #04-50**

Dear Mr. Smith:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

---

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

In the Matter of the Application of

**ROGER SMITH**

MEMORANDUM OF  
DECISION GRANTING

**AREA**

CASE #04-50

**WHEREAS, Roger A. Smith**, owner(s) of 17 Shaw Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 5 ft. Side Yard Setback for existing shed (48-14A) in an R-1 Zone and;

**WHEREAS**, a public hearing was held on August 9, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties.
  - (b) The applicant seeks to locate the shed in the designated place to allow room for reinstallation of a septic system and because of the unique size and location of the back yard.
  - (c) The shed is similar in size and appearance to other sheds in the neighborhood.

- (d) There have been no complaints about the shed, either formal or informal, although it has been in place for approximately two years.
- (e) No trees or substantial vegetation were removed in construction of the shed.
- (f) The shed does not divert the flow of water drainage or create the collection or ponding of water.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

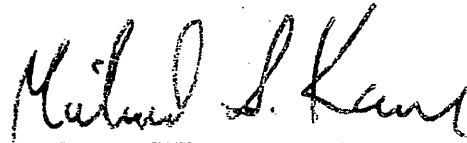
**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 5 ft. Side Yard Setback for existing shed (48-14A) at 17 Shaw Road in an R-1 Zone (53-3-1) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: August 9, 2004

A handwritten signature in cursive script, reading "Michael S. Kane". The signature is written in dark ink and is positioned above a horizontal line.

Chairman

OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEWYORK

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: May 3, 2004

APPLICANT: Roger A. Smith  
17 Shaw Rd  
Rock Tavern, NY 12575

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: May 15, 2003

FOR : Roger A. Smith

LOCATED AT: 17 Shaw Road

ZONE: R-1    Sec/Blk/ Lot: 53-3-1

DESCRIPTION OF EXISTING SITE: Single Famijly Dwelling with shed

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-14A

1. Supplementary Yard Regulations, Accessory Building. Such building shall be set back 10 feet from any lot line. Proposed shed will be 5' from the side property line. A variance of 5' is required.

  
BUILDING INSPECTOR



PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-1     USE: Shed

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

10'

5'

5'

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

04-50

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.

RECEIVED

MAY 15 2002

6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plat plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:

Building Permit #: 242-504

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Roger A. Smith

Address

17 Shaw Rd

Phone #

845-774-0673

Mailing Address

P.O. Box 123 Rock Tavern NY 12575

Fax #

Name of Architect

Address

Phone

Name of Contractor

Self

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer. \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the S side of Shaw Rd  
(N, S, E or W)  
and 160' feet from the intersection of Carpenter Rd.

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 53 Block 3 Lot 1

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy Shed

5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? no

7. Dimensions of entire new construction. Front 12' Rear 12' Depth \_\_\_\_\_ Height 13' No. of stories 1

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_

Fee ck # 1369 50

Let's list

**PAID**

date

**APPLICATION FOR BUILDING PERMIT**  
**TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK**  
Pursuant to New York State Building Code and Town Ordinances

**Building Inspector: Michael L. Babcock**  
**Asst. Inspectors: Frank Liel & Louis Krychew**  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4818  
(845) 563-4895 FAX

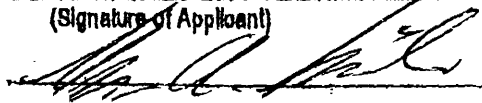
Bldg. Insp. Examined \_\_\_\_\_  
Fire Insp. Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

**INSTRUCTIONS**

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)



17 Shaw Rd (Address of Applicant)

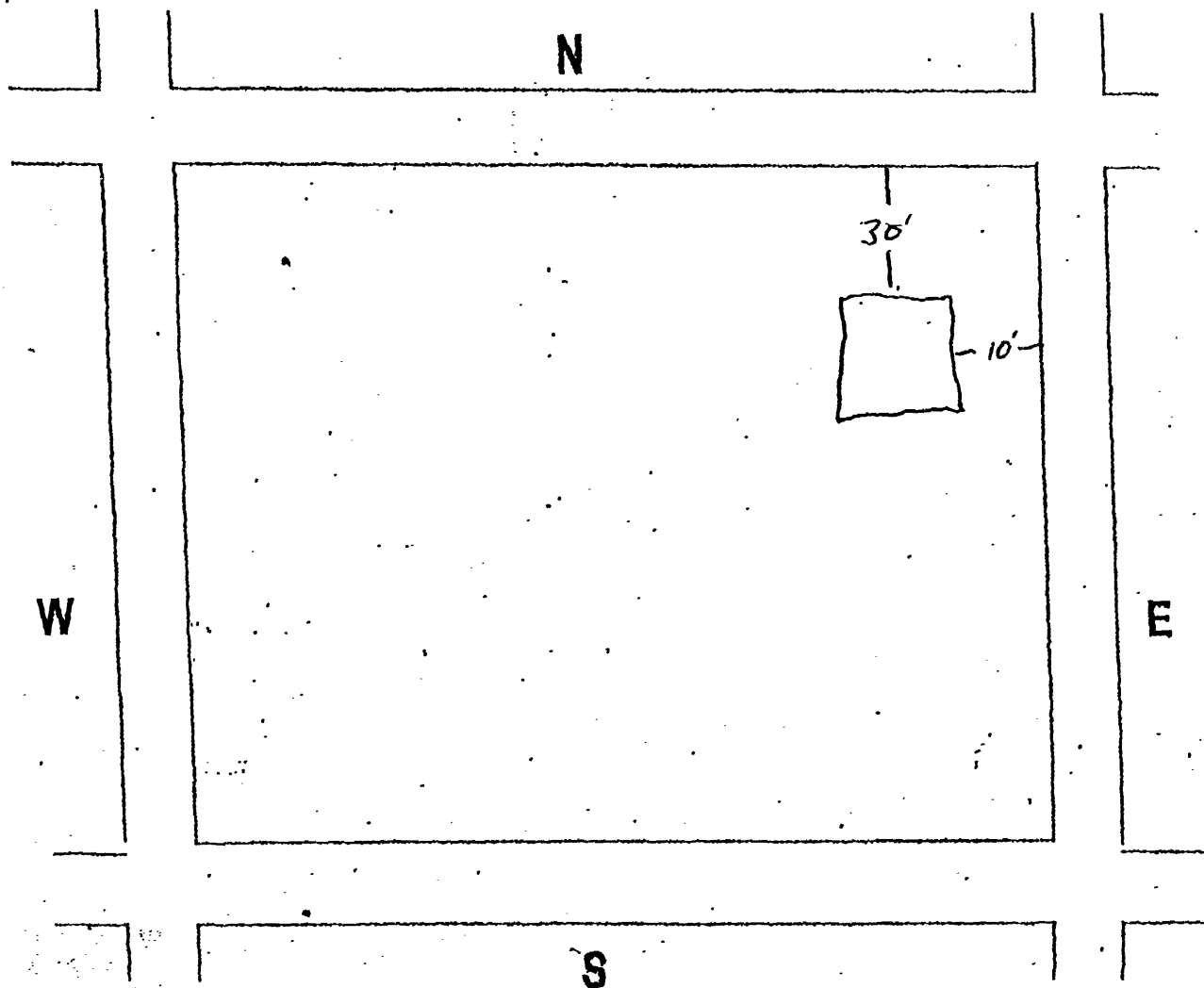
P.O. Box 123 Rockburn NY 12575

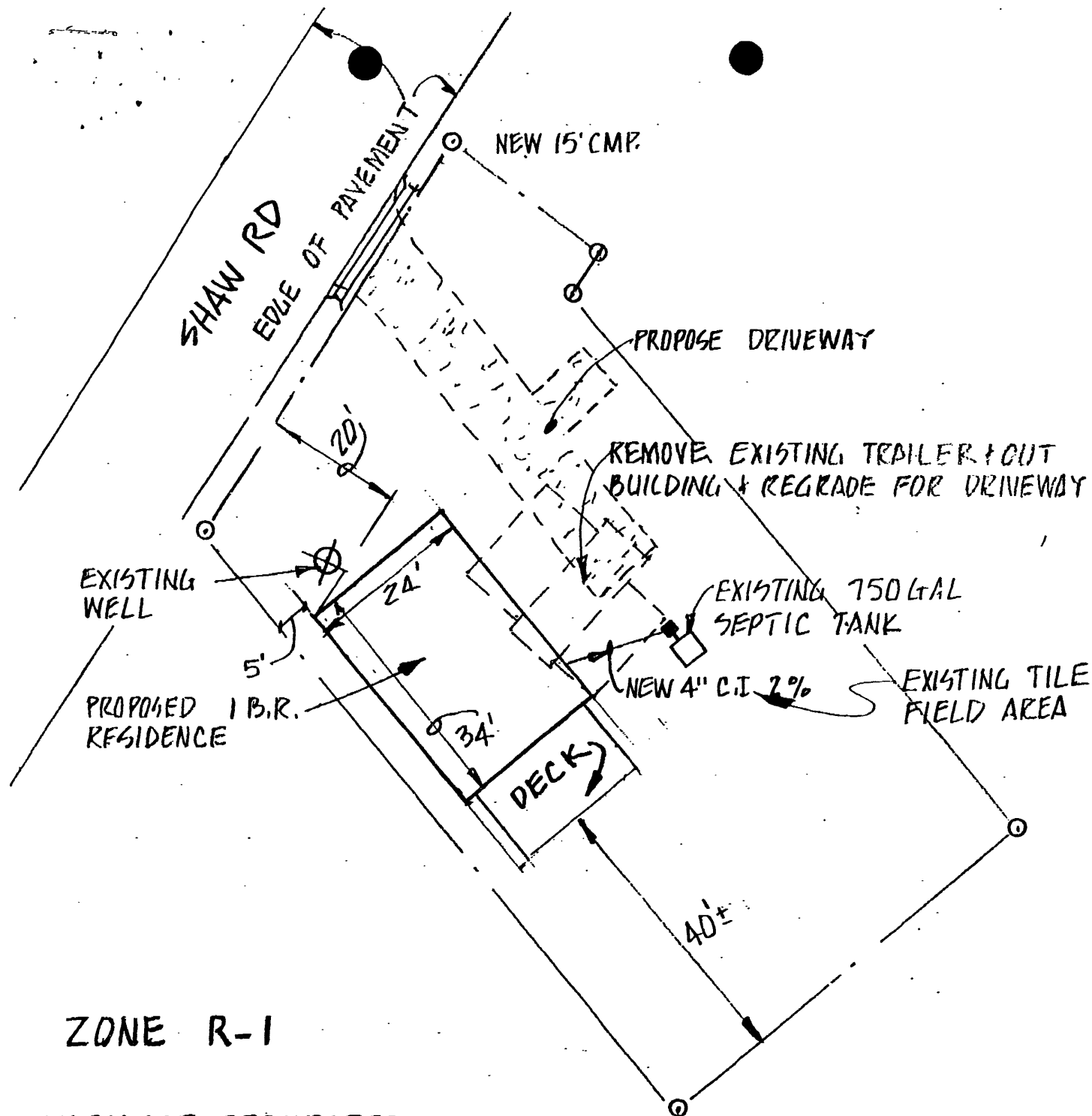
(Owner's Signature)

PLOT PLAN

(Owner's Address)

**NOTE:** Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.






ZONE R-1

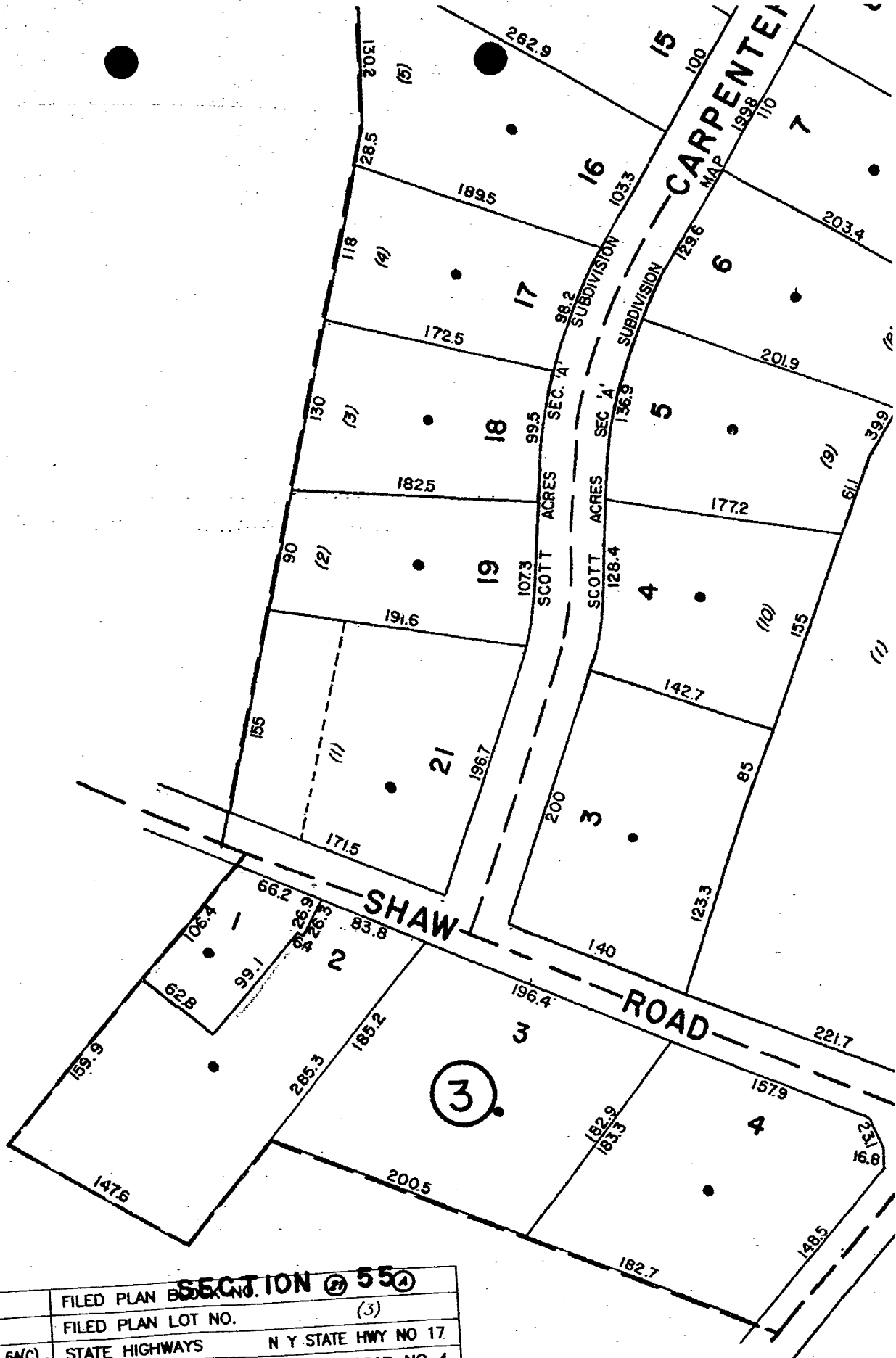
### VARIANCE REQUESTED FOR:

	REQUIRED	PROVIDED
SIDE YD	20'	5'
FRONT YD	45	20'
AREA	60,299 S.F.	7,000 ± S.F.
REAR YD	50'	40'

MAP FROM MAP DONE BY  
M. HILLRIEGEL L.S.

453-B3-L142

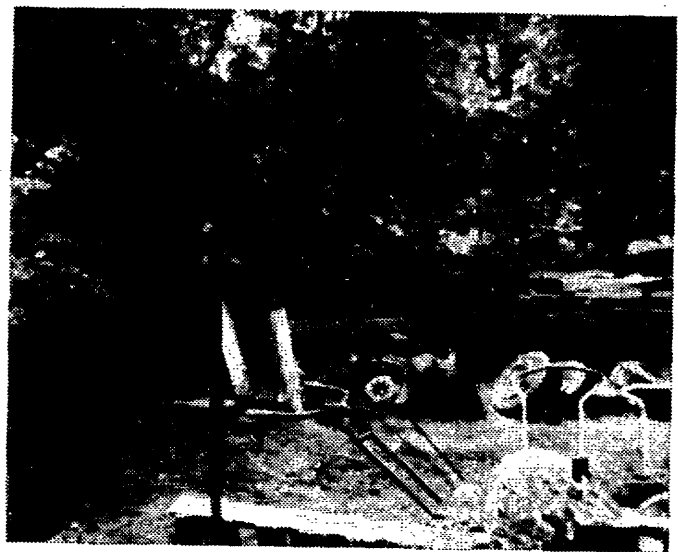
	<b>VICTOR B. BUCKSTAD P.E. P.C.</b>		
	<b>CONSULTING ENGINEER</b>		
	33 HUDSON ROAD WASHINGTONVILLE N.Y. 109921-845-496 6805		
	<b>LANDS OF R. SMITH - NEW WINDSOR - ORANGE CO. - N.Y.</b>		
<b>VARIANCE • SITE PLAN</b>			
DR. BY <b>VB</b>		DATE <b>03.07.02</b>	REV. NO.
CK. BY <b>V.B.D.</b>		SCALE <b>1" = 20'</b>	



FILED PLAN BOOK NO.	FILED PLAN LOT NO.
32	(3)
STATE HIGHWAYS	N Y STATE HWY NO 17
COUNTY HIGHWAYS	COUNTY ROAD NO 4
TOWN ROADS	TOWN ROAD 1
P/O 1-1-1	

ORAN





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: OCTOBER 18, 2004**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 186.00 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #04-50**

**NAME & ADDRESS:**

**Roger Smith  
P.O. Box 123**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #04-50      TYPE: AREA

APPLICANT Name & Address:

**Roger Smith**  
**P.O. Box 123**  
**Rock Tavern, NY 12575**

TELEPHONE:    774-0673

RESIDENTIAL:	\$ 50.00	CHECK # <u>1668</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            RESIDENTIAL \$300.00            CHECK # 1667

~~~~~

| <u>DISBURSEMENTS:</u>        |                | <u>MINUTES</u><br><u>\$5.50 / PAGE</u> | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|----------------|----------------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>3</u> PAGES | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | ____ PAGES     | \$ _____                               | \$ _____                      |
| PUBLIC HEARING:              | <u>5</u> PAGES | \$ <u>27.50</u>                        | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | ____ PAGES     | \$ _____                               | \$ _____                      |

TOTAL:            \$ 44.00            \$ 70.00

~~~~~

ESCROW POSTED:            \$ 300.00  
LESS: DISBURSEMENTS:    \$ 114.00

AMOUNT DUE:            \$ \_\_\_\_\_

REFUND DUE:            \$ 186.00

Cc:

L.R. 10-18-04

PUBLIC HEARINGS:

ROGER SMITH (04-50)

MR. KANE: Request for 5 ft. side yard setback for existing shed at 17 Shaw Road in an R-1 zone.

Mr. Roger Smith appeared before the board for this proposal.

MR. KANE: Is there anybody here for this particular hearing except for Mr. Smith. Okay, tell us what you want to do, sir.

MR. SMITH: Well, I put the shed, turns out the fence was on the line and what I'd like to do is now that I've got the house in place and it makes more sense, I'd like to move it back to whatever your requirements are for the rear line just be five feet off the other line here then I have the rest of the back yard cause eventually going to have to redo the septic system. Right now I'm using a pre-existing septic.

MR. KANE: Where is the septic in conjunction with where you propose to move it?

MR. SMITH: Right off the back corner of the actual trailer itself, about even with the overhang where the septic tank, is says overhang down there and the leach field is out there somewhere but everything has been working fine, there's no problem but I know eventually it's 40 years old it's going to have to be redone.

MR. KANE: Let me ask you this since I have to, the shed is currently about approximately just under two feet over the property line and you propose to move the shed without any damage?

MR. SMITH: Right.

MR. KANE: Why can't we move the shed in an area where we don't need a variance at all?

MR. SMITH: Well, it gives me more open space because my lot's only 60 feet side to begin with. If I move it over more, about 10 or 15 feet, I have to be, that would, it would just be that much more into the back yard. And like I said, when I've got to re-do the septic because it's only 60 feet wide, I've got the stream on the other side to deal with, there's a stream cuts right along my property line on the opposite corner, it's not on the map there, it's not really a real stream but like an overflow type thing.

MR. BABCOCK: If he ever did have a problem with the septic system, they'd want him to do probably at least 50% expansion on the thing and he really could use the room.

MR. KANE: Need to ask it since it is a movable thing.

MR. SMITH: My neighbor has a garage also that's 10 or 15 feet off the fence line and eventually I'm going to eliminate the fence and make it all smooth so if she ever has to get back there there's room to get a machine back there.

MR. KANE: Size of the shed, sir?

MR. SMITH: 12 by 12.

MR. KANE: So that's similar in size to other sheds in your neighborhood?

MR. SMITH: Yes.

MR. KANE: Where the shed is now were there any complaints formally or informally?

MR. SMITH: No.

MR. KANE: How long has the shed been up in the current spot?

MR. SMITH: About two years now.

MR. KANE: Cut down any trees create any water hazards?

MR. SMITH: No.

MR. KANE: Any easements in the area?

MR. SMITH: No. The only water hazards is I get it all from the road. Eventually, I'll eliminate that and put it over to the stream where it belongs.

MR. MINUTA: Have engineering drawings been performed for the proposed leach field expansion area?

MR. SMITH: Not yet.

MR. KANE: They haven't gotten into that.

MR. SMITH: Everything is working fine right now so why rock the boat on that one.

MR. MINUTA: How many bedrooms in the dwelling?

MR. SMITH: It's a one bedroom.

MR. MINUTA: No further questions on that.

MR. KANE: You're going to take it ten feet off the back line so we need five foot side?

MR. SMITH: Right, the house is already five feet on the other side, just kind of gives me a little more room to work in the back yard, there's still a deck on the back.

MR. KANE: At this point, I will open it to the public and ask once again if there's anybody here for this particular meeting? Seeing as there's not, we'll close the public hearing and ask Myra how many mailings.

MS. MASON: On July 27, I mailed out 25 addressed envelopes and had no responses.

MR. KANE: You don't propose to put any electric out to the shed?

MR. SMITH: Maybe a temporary extension cord for when I want to run the air compressor, something like that.

MR. KRIEGER: You're building the house and removing a trailer, is that it?

MR. SMITH: The house is already up, I'm working on that, the trailer's over to the side right now cause we're using it for storage right now.

MR. KRIEGER: After you're finished for storage, you intend to remove it?

MR. SMITH: Yes, just waiting for a plumber to show up. You know what that's like these days.

MR. KANE: Any other questions, guys?

MR. RIVERA: Accept a motion?

MR. KANE: Yes, I will.

MR. RIVERA: I make a motion that we grant Roger Smith the requested five foot side yard setback for the existing shed at 17 Shore Road in the R-1 zone.

MR. MINUTA: Second it.

ROLL CALL

August 9, 2004

15

MS. LOCEY	AYE
MR. RIVERA	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE





RESULTS OF Z.B.A. MEETING OF: August 9, 2004

PROJECT: Roger Smith

ZBA # 04-50

P.B.# \_\_\_\_\_

USE VARIANCE: \_\_\_\_\_ NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_



LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

SCHEDULE PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒

VARIANCE APPROVED: M) RV S) RS VOTE: A 5 N 0.

~~GANN~~ \_\_\_\_\_  
LOCEY A  
RIVERA A  
~~MCDONALD~~ \_\_\_\_\_  
REIS A  
MINUTA A  
KANE A

CARRIED: Y ☒ N \_\_\_\_\_

*Trailer to be removed when house is complete.*

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

ROGER SMITH

AFFIDAVIT OF  
SERVICE  
BY MAIL

#04-50

----- X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 27TH day of JULY, 2004, I compared the 25 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

27 day of July, 2004

Cheryl L. Canfield  
Notary Public

CHERYL L. CANFIELD  
Notary Public, State of New York  
Qualified in Orange County  
#01CA6073319  
Commission Expires April 22, 2006

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

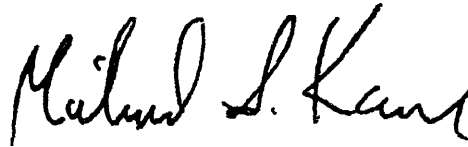
**Appeal No. 04-50**

**Request of ROGER SMITH**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 5 ft. Side Yard Setback for existing shed (48-14A) at 17 Shaw Road in an R-1 Zone (53-3-1)**

**PUBLIC HEARING will take place on AUGUST 9, 2004**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**



---

**Michael Kane, Chairman**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

June 30, 2004

Roger Smith  
P.O. Box 123  
Rock Tavern, NY 12575

Re: 53-3-1      ZBA#: 04-50

Dear Mr. Smith:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

52-1-37  
Washingtonville Soccer Club, Inc.  
Box 24  
Washingtonville, NY 10992

53-2-13  
Raldolph & Masako Den  
315 Bull Road  
Rock Tavern, NY 12575

53-2-3  
Phillip & Joyce DeFreese  
12 Shaw Road  
Rock Tavern, NY 12575

53-2-4  
Wilma Joyce  
21 Carpenter Road  
Rock Tavern, NY 12575

53-2-5  
Craig & Evelyn Levine  
19 Carpenter Road  
Rock Tavern, NY 12575

53-2-6  
Michael Buck  
17 Carpenter Road  
Rock Tavern, NY 12575

53-3-2  
Jean Lewis  
15 Shaw Road  
Rock Tavern, NY 12575

53-3-3  
Elease Hull  
c/o Debra Hull-Robinson  
11 Sunlight Hill  
Yonkers, NY 10704

53-3-4  
Norman & Kimberly Vitale  
3 Shaw Road  
Rock Tavern, NY 12575

53-4-17  
Marinus & Wilma Voorman  
20 Carpenter Road  
Rock Tavern, NY 12575

53-4-18  
Dean & Dawn Romer  
22 Carpenter Road  
Rock Tavern, NY 12575

53-4-19  
Neil Christman  
24 Carpenter Road  
Rock Tavern, NY 12575

53-4-21  
Dennis & Carolyn McHenry  
18 Shaw Road  
Rock Tavern, NY 12575

55-1-51 & 55-1-52  
Charles & Alice Maehrlein  
29 Shaw Road  
Rock Tavern, NY 12575

55-1-53.1  
Joseph & Deborah Migliorini  
305 Bull Road  
Washingtonville, NY 10992

55-1-53.21  
Joseph & Marie Beneducci  
6 Hampshire Drive  
Washingtonville, NY 10992

55-1-53.22  
Marie Wahlbon  
F/K/A Marie Sharpe  
281 Bull Road  
Washingtonville, NY 10992

55-1-53.23  
County of Orange  
255-275 Main Street  
Goshen, NY 10924

55-1-53.24  
Margaret DeFreese  
301 Bull Road  
Washingtonville, NY 10992

55-1-55.2  
John Lyall  
289 Bull Road  
Washingtonville, NY 10992

55-1-55.3  
Raymond & Lisa Cassidy  
21 Shaw Road  
Rock Tavern, NY 12575

56-1-15  
Ruth Ciabotti  
Gary & Edmund Huston  
296 Bull Road  
Washingtonville, NY 10992

56-1-16  
Barbara Perrone  
Susan Giannico  
300 Bull Road  
Washingtonville, NY 10992

56-1-17  
Gennaro & Antonietta Acierno  
304 Bull Road  
Washingtonville, NY 10992

56-1-18  
Anthony & Colleen Fay  
308 Bull Road  
Washingtonville, NY 10992

ROGER SMITH (04-50)

Mr. Roger Smith appeared before the board for this proposal.

MR. KANE: Request for 5 ft. side yard setback for proposed shed at 17 Shaw Road in an R-1 zone. Tell us what you want to do, sir.

MR. SMITH: Move the shed.

MR. KANE: It's an existing shed?

MR. SMITH: I built it, moved it and when they built the house, I'm about a foot and a half on the neighbor's property I found out and my lot's only 60 feet wide.

MR. KANE: So where you have it placed and the reason for the variance is that basically the only place you can put it on your yard?

MR. SMITH: It's the only place that makes sense to go off the back line that will give you all this room in here cause the shed is 12 feet wide, 12 x 12 and I need 13 feet, the septic's right here.

MR. KANE: So you're putting it too close to the septic?

MR. SMITH: Not so much that but the leach field's in here somewhere so eventually I'm going to have to redo all that.

MR. KANE: Will the shed be on a concrete pad?

MR. SMITH: No, just some piers in the ground.

MR. KANE: Cut down any trees, substantial vegetation?

MR. SMITH: No, just some pricker bushes or something like that.

MR. KANE: Shed in size is similar to other sheds in your neighborhood?

MR. SMITH: Yeah.

MR. KANE: Mike, the write-up says this is an existing shed, it says for a proposed shed, should we correct that?

MR. SMITH: I never got the C.O. because they--

MR. KANE: But it is existing, how long has it been up?

MR. SMITH: About two or three years now but, I mean, they couldn't give me the C.O. because it wasn't in place yet and I didn't know where to put it because I had to work on the house so I quit building the house and didn't know where to put it, it didn't make sense until I put the house up.

MR. KANE: Leave it as proposed.

MR. BABCOCK: We can do existing.

MR. KANE: Just want to make sure all the verbiage is correct.

MS. MASON: Make it existing?

MR. KANE: Yeah.

MR. KANE: So we're going to change that from proposed to existing since it is. Any complaints about the shed before that had nothing to do with it being on the property line?

MR. SMITH: No.

June 28, 2004

14

MR. KANE: Any complaints about the shed being over the property line?

MR. SMITH: No, there's an old fence running right down there and both of us always thought that was the property line, this is screwed up too here, this comes down like this and over and down.

MR. KANE: Only in New Windsor. Okay, any other questions?

MR. MINUTA: No.

MR. MC DONALD: Accept a motion?

MR. KANE: Yes, I will.

MR. MC DONALD: Make a motion that we set Mr. Roger Smith up for a public hearing for his requested five foot side yard setback.

MR. RIVERA: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. MINUTA	AYE





RESULTS OF Z.B.A. MEETING OF: June 28, 2004

PROJECT: Roger Smith

ZBA # 04-50  
P.B.#



USE VARIANCE:      NEED: EAF      PROXY

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:      M) Mc S) Rv      VOTE: A 5 N 0  
RIVERA A  
MCDONALD A  
REIS A  
MINUTA A  
KANE A  
CARRIED: Y ✓ N \_\_\_\_\_

PUBLIC HEARING:      STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_

VARIANCE APPROVED:      M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_.

RIVERA \_\_\_\_\_  
MC DONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_.

Change wording to "Existing"

ZBA # 04-50  
Application fee

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#617-2004**

06/18/2004

Rock Tavern Lawns  
P O Box 123  
Rock Tavern, NY 12575

Received \$ 50.00 for Zoning Board Fees, on 06/18/2004. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 06-17-04

FOR: ESCROW 04-50

FROM: ROGER SMITH

P.O. BOX 123

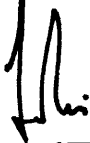
ROCK TAVERN, NY 12575

CHECK NUMBER: 1667

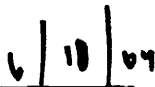
TELEPHONE: 774-0673

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME



DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

July 13, 2004

Roger Smith  
P.O. Box 123  
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #04-50

Dear Mr. Smith:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

17 Shaw Road  
New Windsor, NY

is scheduled for the August 9, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

June 17, 2004

Roger Smith  
P.O. Box 123  
Rock Tavern, NY 12575

SUBJECT: REQUEST FOR VARIANCE #04-50

Dear Mr. Smith:

This letter is to inform you that you have been placed on the June 28, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

17 Shaw Road  
Rock Tavern, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

# TOWN OF NEW WINDSOR

## REQUEST FOR NOTIFICATION LIST

DATE: 06-17-04 PROJECT NUMBER: ZBA# 04-50 P.B. # \_\_\_\_\_

APPLICANT NAME: ROGER SMITH

PERSON TO NOTIFY TO PICK UP LIST:

ROGER SMITH  
P.O. BOX 123  
ROCK TAVERN, NY 12575

TELEPHONE: 774-0673

TAX MAP NUMBER:	SEC. <u>53</u>	B LOCK <u>3</u>	LOT <u>1</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	B LOCK _____	LOT _____

PROPERTY LOCATION: 17 SHAW ROAD  
ROCK TAVERN, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: \_\_\_\_\_

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) \_\_\_\_\_

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

AGRICULTURAL DISTRICT:  
 (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
 OF SITE PLAN OR SUBDIVISION PROJECT) \_\_\_\_\_

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 1669

TOTAL CHARGES: \_\_\_\_\_



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

5/24/04  
Date

Application Type: Use Variance ☐ Area Variance ☐  
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 774-0693  
Roger A Smith Fax Number: ( )  
(Name)  
PO Box 123 - 17 Shaw Rd - Rock Tavern  
(Address)

II. **Applicant:** Same Phone Number: ( )  
(Name) Fax Number: ( )  
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ( )  
Fax Number: ( )  
(Name)  
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ( )  
Fax Number: ( )  
(Name)  
(Address)

V. **Property Information:**  
Zone: \_\_\_\_\_ Property Address in Question: 17 Shaw Rd  
Lot Size: 60 x 100 Tax Map Number: Section 53 Block 3 Lot 1  
a. What other zones lie within 500 feet? \_\_\_\_\_  
b. Is pending sale or lease subject to ZBA approval of this Application? \_\_\_\_\_  
c. When was property purchased by present owner? 12 yrs ago  
d. Has property been subdivided previously? no If so, When: \_\_\_\_\_  
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? \_\_\_\_\_  
f. Is there any outside storage at the property now or is any proposed? \_\_\_\_\_

\*\*\*\*PLEASE NOTE:\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	10'	5'	5'
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

my lot is only 60'w 100'  
I have the house 5' from the other side  
and need to place the shed 5' from the  
other. I may need the rest of the yard  
to replace the septic system.

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
  
- ☐ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT THREE(3) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

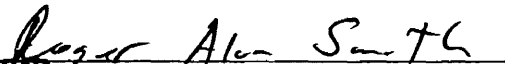
COUNTY OF ORANGE )

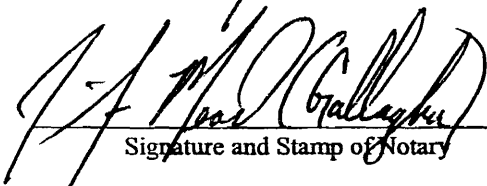
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

7<sup>th</sup> day of June 2004.

  
Owner's Signature (Notarized)

  
Applicant's Name (Please Print)

  
Signature and Stamp of Notary

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified in Orange County  
Commission Expires 10/30/2006

Owner's Name (Please Print) DL# 725-118-344  
EX-04-05-12  
Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO  
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

\*

### **ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

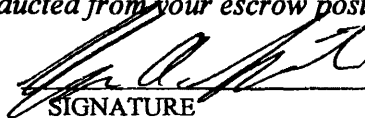
1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (*self-sealing envelopes are much appreciated*) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. ***YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.***

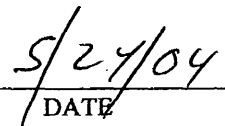
**NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

**\*\* MUST READ AND SIGN \*\***

***I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).***

  
SIGNATURE

  
DATE

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST – ONE MEETING PER MONTH ONLY)

ROGER A. SMITH

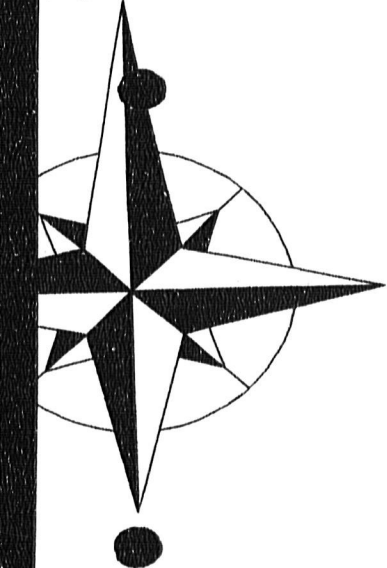
17 SHAW ROAD  
TOWN OF NEW WINDSOR,  
COUNTY OF ORANGE, STATE OF NEW YORK

SCALE: 1" = 20 FEET  
DATE: OCTOBER 7, 2002

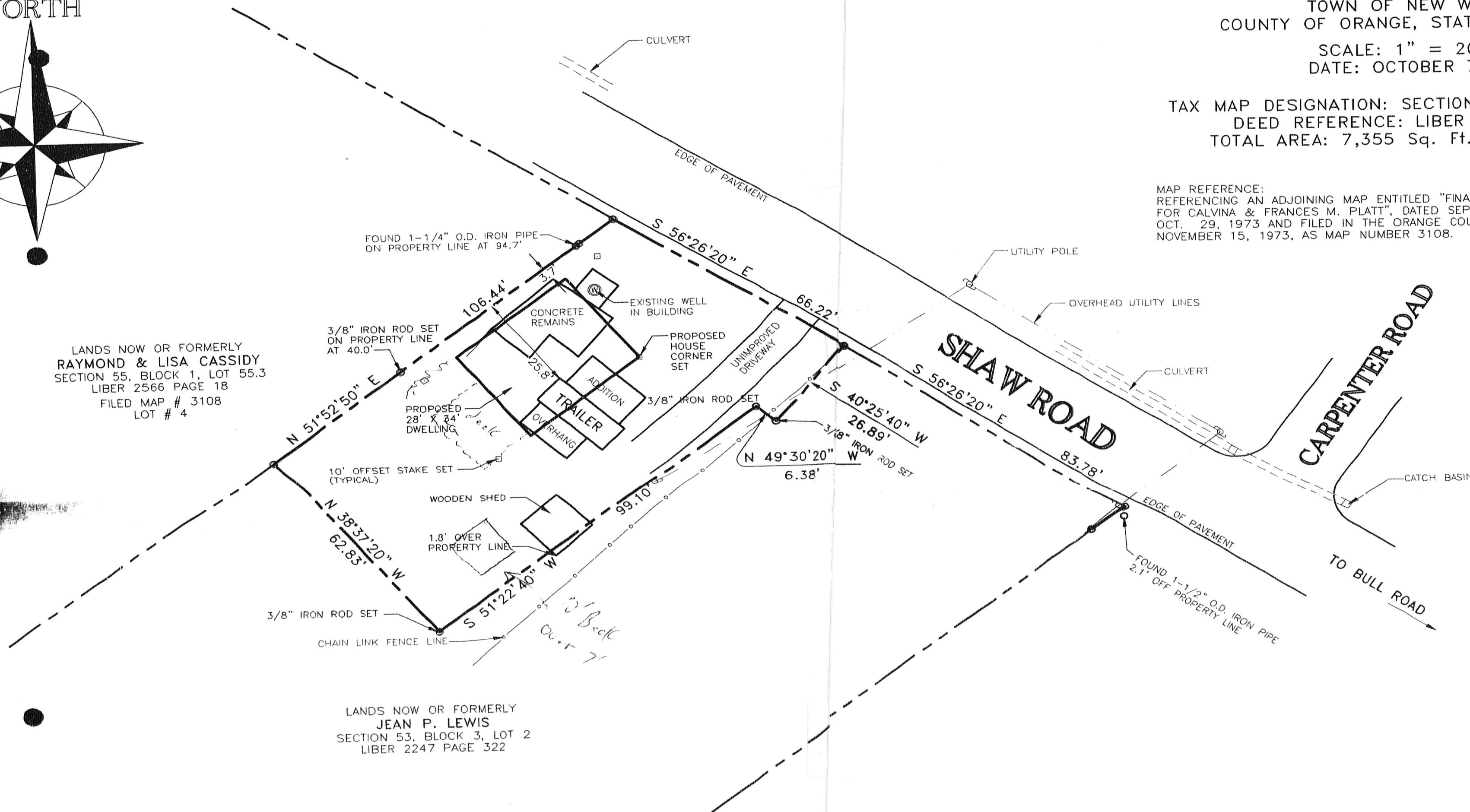
TAX MAP DESIGNATION: SECTION 53, BLOCK 3, LOT 1  
DEED REFERENCE: LIBER 3824 PAGE 86  
TOTAL AREA: 7,355 Sq. Ft. or 0.1688 Acres

MAP REFERENCE:  
REFERENCING AN ADJOINING MAP ENTITLED "FINAL PLAT, SUBDIVISION OF PROPERTY  
FOR CALVINA & FRANCES M. PLATT", DATED SEPT. 15, 1971, LAST REVISED  
OCT. 29, 1973 AND FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON  
NOVEMBER 15, 1973, AS MAP NUMBER 3108.

ED MAP  
NORTH



LANDS NOW OR FORMERLY  
RAYMOND & LISA CASSIDY  
SECTION 55, BLOCK 1, LOT 55.3  
LIBER 2566 PAGE 18  
FILED MAP # 3108  
LOT # 4



LANDS NOW OR FORMERLY  
JEAN P. LEWIS  
SECTION 53, BLOCK 3, LOT 2  
LIBER 2247 PAGE 322

GRAPHIC SCALE

CERTIFIED TO:  
ROGER A. SMITH,  
TO BE A TRUE SURVEY PERFORMED IN THE FIELD  
ON OCTOBER 4, 2002.

MARGARET M. HILLRIEGEL L.S.  
N.Y.S. LIC. No. 50253

PREPARED BY:  
MARGARET M. HILLRIEGEL  
LICENSED  
LAND SURVEYOR  
372 OREGON TRAIL  
PINE BUSH, NEW YORK 12566  
PHONE #: (845) 744-2072